

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SHAWN HODGES,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:21-cv-01122-NONE-SAB

ORDER VACATING FINDINGS AND
RECOMMENDATIONS
RECOMMENDING DENYING
PLAINTIFF'S APPLICATION TO
PROCEED *IN FORMA PAUPERIS* AND
DENYING PLAINTIFF'S APPLICATION
TO PROCEED *IN FORMA PAUPERIS* AS
MOOT

ORDER DIRECTING CLERK OF THE
COURT TO ISSUE SERVICE
DOCUMENTS AND NEW CASE
DOCUMENTS AND SERVE THE
SUMMONS AND COMPLAINT UNDER
E-SERVICE PROGRAM

On September 22, 2020, Shawn Hodges ("Plaintiff") filed the complaint in this action seeking judicial review of the final decision of Defendant Commissioner of Social Security ("Defendant") denying his application for benefits under the Social Security Act. (ECF No. 1.) On August 4, 2021, Plaintiff filed a long form motion to proceed in forma pauperis. (ECF No. 4.) On August 6, 2021, findings and recommendations issued recommending denying Plaintiff's motion to proceed in forma pauperis. (ECF No. 6.) Plaintiff submitted the filing fee on August 20, 2021. Accordingly, the findings and recommendations will be vacated and the Clerk of the

1 Court will be directed to issue a summons and new case documents in this action, and serve the
2 Defendant under the Court's E-service program.

3 On April 14, 2020, General Order Number 615 issued staying all Social Security actions
4 filed after February 1, 2020 until the Commissioner may begin normal operations at the Office of
5 Appellate Hearings Operations and may resume preparation of a certified copy of the
6 administrative record. Pursuant to the general order, all cases are stayed upon filing unless
7 otherwise ordered by the court. The Court finds that it is appropriate to direct service of the
8 complaint in this action and the stay will go into effect upon service of the complaint.

9 Accordingly, IT IS HEREBY ORDERED THAT:

- 10 1. Plaintiff's application to proceed without prepayment of fees, filed August 4,
11 2021 (ECF No. 4), is DENIED as moot;
- 12 2. The findings and recommendations filed August 6, 2021 (ECF No. 6), are
13 VACATED;
- 14 3. The Clerk of Court is DIRECTED to issue a summons and new case documents;
15 and
- 16 4. The Clerk of Court is DIRECTED to deliver to the Commissioner of Social
17 Security Administration and the United States Attorney's Office at their
18 designated email addresses, a notice of electronic filing of this action along with
19 the summons and complaint..

20
21 IT IS SO ORDERED.

22 Dated: August 23, 2021


UNITED STATES MAGISTRATE JUDGE